



1638

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael Spencer, Rita Mumm,
J. Jefferson Gwynn, David McElroy and
Michael A. Stephens

Serial No.: 09/698,789

Filed: October 27, 2000

For: METHOD FOR PLANT BREEDING (AS
AMENDED)

Group Art Unit: 1638

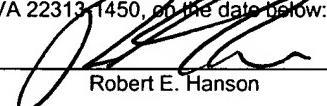
Examiner: Kruse, David H.

Atty. Dkt. No.: DEKM:157USC1

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

January 23, 2004
Date


Robert E. HansonINTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On November 13, 2003, Examiner Nelson contacted the undersigned Applicants' representative to discuss the scientific nature of the glyphosate-inducible male sterile trait. In particular, it is believed that the Examiner was interested in the mechanism that causes the glyphosate-inducible male sterile trait. Applicants' representative indicated at that time that he personally did not know the mechanism, but indicated that the working examples in the specification and evidence previously submitted by Applicants on the record illustrates that the

trait is recurring and fully enabled by the specification. The claims were not discussed and no agreement was reached.

Applicants' undersigned representative subsequently held a telephonic interview with Examiner Kruse on December 5, 2003. The Examiner proposed the amendments set forth in the Examiner's Amendment included with the Notice of Allowability mailed December 24, 2003. Agreement was reached to allow the case in view of the proposed amendments. The amendments are clerical in nature and do not change the scope of the claims.

Applicants would like to thank the examiners for the time in the telephone discussions.

No fees are due in connection with this paper. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, consider this paragraph such a request and authorization to withdraw the appropriate fee from Fulbright & Jaworski Deposit Account No. 50-1212/DEKM:157USC1.

Please date stamp and mail the enclosed postcard confirming receipt of this paper.

Respectfully submitted,



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Date: January 23, 2004